

AWW Advisory Council Meeting

March 22, 2004

10:00pm to 4:00pm

Black Bear Inn - Stillwater, Maine

Council Members Present: Dean Bennett, John Boland, Jennifer Burns, Rick Denico, Roy Gardner, Sr., Phyllis Jalbert, Cathy Johnson, Sarah Medina, Don Nicoll, Gary Pelletier, John Richardson, Jym St. Pierre, Bill Sylvester, Larry Totten, Dick Walthers.

BPL Staff Present: David Soucy, Tom Morrison, Tim Hall, Marilyn Tourtelotte, Scott Ramsey, Dave Rodrigues, Tom Desjardin.

IF&W Staff Present: Jeff Bagley, Dave Basley, Paul Johnson.

NPS Staff Present: Jamie Fosburg.

Public: Tim Caverly, Melford Pelletier, John Rust, Greg Shute, Brent Hardy, Kent Dysart, Tim Dysart, Joanne McPhee, Cheryl Hardy, Michael Witham.

2. Minutes of the previous meeting

3. River Update

Marilyn

- Eric Hall was hired as the new Michaud Farm Ranger, a position vacated when Ranger Tom Harmon moved to a full time position at Churchill Dam. Ranger Hall works 16 weeks during the winter covering Chamberlain District and 25 weeks in the summer at Michaud Farm. There are currently 2 Assistant Ranger and one Ranger openings on the Waterway for the 2004 season.
- AWW employees continue to take Snow Core samples for the National Weather Service.
- Allagash Lake opened for ice fishing on Sunday, Feb. 1. There were only 12 parties on the lake, a significant reduction from the 2003 season, but then again it was competing with the Super Bowl! Use on Chamberlain and Eagle was low.
- The Telos EAP was finalized and mailed out to the parties involved in the plan. A testing will occur in July. The pan will be on file at MEMA until 2006 when it will need to be updated.
- Boating Ranger Joe Powers has assisted Rangers Harmon and Hall in the construction of new aluminum and wood motor mounts for the canoes. These mounts are much lighter, easier to repair, and more durable than the old style mounts.
- There were four openings for campers at the Chamberlain parking lot this season.

Tim Hall distributed and reviewed a proposal for a day use registration system. The primary goal of this system would be to secure highly reliable and valid public use data for the AWW.

Denico inquired if the program was temporary. Tim said it would be permanent.

Nicolls asked about zip code in multi-person parties and how to collect that data. He also inquired how trips of groups that spread out on the waterway would be registered.

St. Pierre said that the idea was a good one and that annual data would be more useful. He also suggested a change from “intend” to “will” abide by rules.

Medina suggested BPL work with North Maine Woods to reduce paperwork needed and change “control station” to “checkpoint” and change “gates” to “checkpoints”.

Cathy Johnson suggesting adding exit points as well.

Paul Johnson suggested adding fishing as a purpose (Bennett agreed).

Medina said that Maine North Woods could help incorporate data from various entities that work with them.

Nicolls suggested that BPL, IF&W, and North Maine Woods could cooperate with permitting.

Cathy Johnson encouraged gathering data for winter as well, if/when possible.

Tim Hall said that staffing limitations would make this difficult.

Dave Soucy concluded by saying that further comments should be e-mailed to Tim at tim.hall@maine.gov.

4. Allagash Fisheries Discussion

Dave Basley from IF&W distributed the report titled “Churchill and Big Eagle Lakes Brook Trout Management” and went over its contents. He added that the report covers winter surveys taken from 1970-2002.

The survey shows that gains are being made in increasing the size and quantity of trout in Big Eagle and Churchill Lakes.

IF&W has a concern whether Muskies and Small Mouth Bass are getting over Allagash Falls. A study is needed of the hydrology of Allagash Falls.

Q. Bennett – Anything that can be done at mouth of Allagash River to stop the potential migration of Muskies and Small Mouth Bass?

A. – There is not really any kind of device that would do this.

Q. St. Pierre – Where on the AWW is IF&W stocking fish?

A. – Lake Trout and Togue on Umsaskis and lake whitefish (fingerlings) on Churchill and Big Eagle for the first time this year.

Paul Johnson from IF&W distributed the report titled “AWW Fishery Surveys Moosehead Lake Region Waters” and went over its contents.

Q. Denico – Suggested that a focus on fixing Telos Dam was needed.

A. It would be desirable to fix the leakage.

Q. Richardson – Catch and release of Trout is gaining in popularity. Does this affect the data?

A. Partially, but not with line-netting.

Q. St. Pierre – Chamberlain Lake is as low as I have ever seen it.

A. Its elevation is down 5.2 feet which is as low as it can go, even if the dam were gone but this appears to have had minimal effect on the Trout.

5. Management Plan Revisions

Dave Soucy distributed the draft plan. BPL agreed to incorporate the Federal “Wild and Scenic” designation into its management plan for the AWW. This preliminary draft is presented to the council in order to seek input and advice on how the plan can incorporate the intent of the Wild and Scenic designation while respecting traditional uses.

Q. St. Pierre – What is the time frame?

A. – Within two years of issuance of the Churchill Dam permit, which is approaching. Very short-term; next few weeks.

Walthers: Wilderness canoe trip should be stressed as a use. This should be mentioned in the plan. Canoe trips are an integral part.

Pelletier: Who has made draft changes to date?

Soucy: Only BPL Staff. No one outside the staff.

Soucy asked council to please send any further edits or general comments to him via e-mail at: dave.soucy@maine.gov.

Plan’s Preface

St. Pierre (p. 4 – last para.) It may not be necessary to list uses.

Soucy – Some uses are not entirely consistent with the Wild and Scenic designation, however we intend to continue to allow them and, to be clear, we listed them.

Bennett: (p. 4 bottom – last para.) Suggest a clarification of the “values that caused...” based on the state statute that established the Waterway (the three named values)

Soucy: Perhaps we should choose our own language rather than quoting any specific document.

Medina: Would like reference to Wild and Scenic Act in preface (cited).

Johnson: Add the Federal Register to the appendix.

-----**LUNCH BREAK** -----

Gardiner: (p. 16 #8) What is “burnable rubbish?”

Soucy: Today, we advocate total “carry-in, carry-out.”

Denico pointed out that the Federal Register (1970) has useful language. “The purpose and philosophy...” Rules are changeable.

St. Pierre: That language pre-dates the relevant state statutes.

Medina: The best way to include this is as a footnote with the full text in the appendix.

Cathy Johnson: (p. 15, para. 2) Encouraged BPL to delete it. “State’s management...”

Denico: (p. 15, last sentence) Please explain further.

Soucy: An overriding principle of Wild and Scenic is to avoid degradation. This is a “cardinal rule” of the Act. It is consistent with the Allagash statute.

Denico encouraged BPL to change, remove, or revise that language.

St. Pierre: It is a fine line we’re trying to walk between Wild and Scenic and traditional uses.

Denico: Certain parts of the Wild and Scenic Act apply to AWW and some do not.

Burns: It must be made clear that the state will not degrade wilderness characteristics in as much as we make clear that traditional uses will not be left unconsidered.

Sylvester: (p. 15, para. 2) Clause regarding “road closure” should be omitted.

Buildings, Dams and Bridges

Nicolls: Any dam replacements should have the longest life-cycle, use the least toxic materials, and maintain fish-migration capabilities.

Sylvester: Prefers cement abutment to wooden crib in bridges.

Soucy confirmed that there is consensus on this.

Medina: (p. 2, para. 4) “Repair, modification...” can be omitted.

Soucy: Clarification may be useful.

Medina: There should be a general understanding that all necessary permits will be acquired. There is no need to specify this in these sections.

Fosburg: Any work “underneath ordinary high water” requires a permit from the Army Corps of Engineers.

St. Pierre: (p. 1, bottom – 2.3.k) Use same language as River Drivers Agreement. Move 6.2 to replace 2.3.k. Also, (p. 2, 1.1.k) good place to cite proposed evaluation of bridges proposed at last meeting.

Burns: Explain the restoration at the Moir Farm.

Soucy explained the historic significance of the Moir Farm, particularly architecturally and as home to the first settlers in the area.

Burns: Does it need to be in the Management Plan to be considered for restoration?

Cathy Johnson: Dams section doesn't seem to reflect the idea of a study that would include "removal" as an option.

Bennett: (p.1, 1.6.C) "Bureau will conduct..." suggest striking "no longer in use" and replace with section 1876 of the State statute.

Nicolls: Ecological consequence should be included when considering reconstruction of structures, etc.

Soucy: These are things that need careful study and should regard all structures.

St. Pierre: (p.2 1.1.k) asked for clarification.

Soucy: Working below the high water mark trigger an Army Corps review and this should be in the language.

Fosburg: An Army Corps review triggers NPS involvement and review.

Policies

Burns: (p. 49) Since use of ATVs is not a traditional use, why does plan allow ATVs.

Soucy: This is a good discussion topic, but outside the scope of today's discussion. It is a big topic and will be noted for future agendas.

Jalbert (p. 144) Access to Bissonette Bridge. This section seems more vague and inconsistent with the River Drivers Agreement.

Walthers: The River Drivers Agreement agrees to leave the existing trail as is. Adding the word "existing" will clarify.

Jalbert: Referenced vehicle access at Finlay Bogan (1.1.B)

Cathy Johnson: Inquired about retiring the road south of Ramsey Ledges.

Soucy: We can add this to 1.1.k.

Cathy Johnson: My understanding of the River Drivers Agreement was that blockage would occur right at the entrance to Cunliffe campsite.

Pelletier discussed a fence at Ramsey Campsite area.

Soucy: A fence is not very consistent with Wild and Scenic, so perhaps vegetation or some other means is better.

Medina: When blocking roads, you must block it where it is practical to turn around.

Bennett: (p. 38) suggested adding to list, “Enhancement of wilderness character is pursued consistent with State statute and Federal designation.

Nicolls: Stated that he was uncomfortable with repeated reference to State and Federal statutes as it draws us back to arguments over passing these regulations.

Cathy Johnson: (p, 44, 1.1.A) “Relocate entrance, close and revegetate the roadway,” instead of “Limit access to the watercourse at Umsaskis Thoroughfare.”

St. Pierre endorsed Bennett’s suggestion (p. 38). Regarding John’s Bridge, his understanding is that when the road east of the bridge was improved, there would be a phase-out of canoe access at the bridge.

Soucy: The River Drivers Agreement discussed the idea that improvement in access to the Waterway would naturally diminish use of John’s Bridge as an access point. We did not discuss phasing-out access there.

Cathy Johnson: The Commissioner made a very clear representation that access at John’s Bridge would be phased-out as the road improves.

Soucy reiterated the expectation that the issue would resolve itself by a natural occurrence.

Bennett: Has a clear impression that the Commissioner hoped that this would not be used at some point in the future, as activity dispersed to the other two locations.

Cathy Johnson: Her understanding was that BPL would at least nudge the reduction and phase-out of its use.

St. Pierre: (p. 49, 1.3.A-C) Simplify by removing the list (1.3.A) and leave it as “develop a plan...”. Change 1.3.B to “develop a plan for...” to put it in a positive language.

Pelletier inquired about parking at Henderson Brook Bridge and what would happen to eastern access on that road.

Soucy: Our hope is to relocate vehicle access parking to the bogan behind the current river access. We’re certainly not going to eliminate access until the bogan access is in place.

Fosburg: (p. 36) Replace opening paragraph with a statement that references policy rather than restating it.

Cathy Johnson: (p. 36) The quote from the statute should be mentioned elsewhere.

Bennett: We should do as much as possible to incorporate language into the plan that strengthens the connection between management plan and Wild and Scenic River designation.

Denico: (to Medina) Where would you put part 2.a.II?

Medina: In the preface. We should reference the statute and Wild and Scenic River Act on the bottom of page 3.

Cathy Johnson: I agree with Bennett. The language on p. 36 is important and should be included in the plan, not the appendix.

Medina: (p. 53, para. 3) Unnatural noise, the language change in blue, should be omitted.

Nicolls: Also dislikes “unnatural noise” phrase.

St. Pierre: Statement should remain as it contributes to the wild character. Perhaps a revision of phrase “unnatural noises” to something else.

Nicolls: Regarding State and Federal statutes and their place in the plan document, suggested that BPL revise plan so that references to statutes be placed appropriately.

Cathy Johnson: (p. 41, para. 4) There were authorized “two possibly three” access sites in the Federal Register.

Medina: There is some dispute over the inclusion of that phrase in the Federal Register.

Bennett: How did we leave the John’s Bridge issue (p. 45)?

Soucy: We’ll try to address the notion that in the River Drivers Agreement, access at John’s Bridge was discouraged.

Sylvester: (p. 41, para. 3) 1973 should be at least 1968. (p. 47, para. 1.2.C.) Priestly Trail bullet should be omitted.

10 Minute Break

6. Winter Access Rules

Two items were distributed. 1. “Traditional Trails” and 2. “Currently Authorized.”

Soucy asked council to consider each access trail and whether any should be eliminated or added and to discuss enforcement ideas.

Bennett: Does BPL have criteria as to desirable and undesirable trails?

Soucy: Informal rules or guides. Trails should not be positioned as to encourage summer use. Also, environmental, visual, etc. Underlying the discussion is the idea that there should be a minimal number of trails, particularly sporting camps, ice-fishing, and touring (to trains, etc.)

St. Pierre: It is supposed to be a wilderness. That’s my sideboard for this discussion. Traditional trails are not authorized by rule.

Soucy: In 1995, nineteen trails were authorized by rule. Prior to that, others were identified as “traditional use.”

Cathy Johnson: I feel we need to first have a wider discussion of our goals and not (yet) focus on snowmobile trails. For example, the principle might be – a lake that has authorized snowmobile use, we don't need six trails from one direction, etc.

Soucy asked for input as to overriding principles we should consider.

Michael Witham: Trails can constantly move based on road closures in winter and logging operations. Hence, numerous trails may be listed in some areas.

Medina: Safety is an issue from a landowner's perspective. People should be encouraged to stay off of plowed roads. Landowner policy should be taken into account.

Richardson: We should eliminate some access points but as logging closes off certain trails, AWW staff should be able to open trails accordingly.

Bennett: Winter use includes more than just snowmobiles. For example, cross-country skiing, Trail decisions should include thoughts of non-snowmobile winter use.

Walthers: Suggested a sub-committee that could make recommendations to the council.

Jalbert: Data on usage would be useful.

Nicolls: Suggested also a sub-group to prepare recommendations.

Tourtelotte: Ideas must be enforceable, given staff, etc.

Johnson: Would like snowmobile access limited to crossing if a "quiet use" area were established so as to maintain wilderness experience for quiet.

Sub-committee: 4-6 weeks from now – Totten, Sylvester, Johnson, Richardson, Bennett, Denico, Medina, St. Pierre.

Next Meeting: Monday, June 21.

ADJOURN